

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CALEB CRAIG JACKSON,

Plaintiff,

v.

CITY OF SEATTLE; SEATTLE POLICE
DEPARTMENT; OFFICER S. MARTINELL;
OFFICER HUGHEY; OFFICER S. SMITH;
OFFICER S. KAFFER; OFFICER D.
CONINE; OFFICER M. WOODRUFF; and
JOHN DOES 1 - 10,

Defendants.

NO.

King County Superior Court
Cause No. 08-2-21142-8SEA

**VERIFICATION OF STATE
COURT RECORDS**

VERIFICATION

The undersigned hereby declares the following:

1. The undersigned are counsel of record for Defendants City of Seattle, Seattle Police Department and Officers Martinell, Hughey, Smith, Kaffer, Conine and Woodruff.
2. Pursuant to CR 101(b), attached are true and correct copies of all records and proceedings in the Superior Court of King County, Washington in the above-entitled action, Cause No. 08-2-21142-8SEA:

VERIFICATION OF STATE
COURT RECORDS- 1

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100


Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6885

<u>Exhibit</u>	<u>Document</u>
1	Case Information Cover Sheet Case Assignment Designation Plaintiff's Summons and Complaint for Damages
2	Order Setting Civil Case Schedule
3	Declaration of Service – City of Seattle
4	Declaration of Service – Seattle Police Department
5	Defendants' Notice of Appearance
5	King County Superior Court Docket 08-2-21142-8SEA

DATED this 18th day of July, 2008 at Seattle, Washington.

STAFFORD FREY COOPER
Professional Corporation

By: 
Ted Buck, WSBA #22029
Karen L. Cobb, WSBA #34958
Attorneys for Defendants

VERIFICATION OF STATE
COURT RECORDS- 2

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6885

Certificate of Service

The undersigned certifies under the penalty of perjury according to the laws of the United States and the State of Washington that on this date I caused to be served in the manner noted below a copy of this document entitled **VERIFICATION OF STATE COURT RECORDS** on the following individual:

Mark Leemon, WSBA #5005
leemon@leeroylaw.com
Leemon Royer PLLC
2505 Second Avenue
Suite 610
Seattle, WA 98121
206/269-1100
Facsimile: 206/269-7424
Attorneys for Plaintiff

☐ Via Facsimile
☐ Via First Class Mail
☒ Via Messenger

DATED this 18th day of July, 2008, at Seattle, Washington.



Dori M. Mashburn
Paralegal to Stephen Larson, Anne
Bremner and Ted Buck

VERIFICATION OF STATE
COURT RECORDS- 3

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION
601 Union Street, Suite 3100
Seattle WA 98101.1374
TEL 206.623.9900 FAX 206.624.6885

Exhibit 1

Verification of State Court Records
Caleb Craig Jackson v. City of Seattle, et al.

FILED

FILED

2008 JUN 23 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WAKING CO SUPERIOR CT
BARBARA HINER
DIRECTOR & SUPERIOR COURT CLERK
SEATTLE WA

08-2-21142-8

Receipt Date	Acct. Date	Time
06/23/2008	06/23/2008	02:08 PM

Receipt/Item #	Tran-Code	Docket-Code
2008-13-13318/01	1100	\$FFR

Cashier: JLC

**KING COUNTY SUPERIOR COURT
CASE ASSIGNMENT DESIGNATION
and
CASE INFORMATION COVER SHEET
(cics)**

Paid By: Leemon & Royer, atty
Transaction Amount: \$200.00

In accordance with LR82(e), a faulty document fee of \$15 will be assessed to new case filings missing this sheet pursuant to King County Code 4.71.100.

08-2-21142-8 SEA

CASE NUMBER: _____

CASE CAPTION: Jackson v. City of Seattle, et al.

I certify that this case meets the case assignment criteria, described in King County LR 82(e), for the:

 X Seattle Area, defined as:

All of King County north of Interstate 90 and including all of the Interstate 90 right-of-way; all the cities of Seattle, Mercer Island, Bellevue, Issaquah and North Bend; and all of Vashon and Maury Islands.

 Kent Area, defined as:

All of King County south of Interstate 90 except those areas included in the Seattle Case Assignment Area.

Signature of Petitioner/Plaintiff

Or

Signature of Attorney for
Petitioner/Plaintiff

Mark Leemon

Date

June 20, 2008

Date

ORIGINAL

**KING COUNTY SUPERIOR COURT
CASE ASSIGNMENT DESIGNATION**

and

CASE INFORMATION COVER SHEET

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time but helps in forecasting judicial resources. A faulty document fee of \$15 will be assessed to new case filings missing this sheet pursuant to Administrative Rule 2 and King County Code 4.71.100.

PROPERTY RIGHTS

- ☐ Condemnation/Eminent Domain (CON 2)*
- ☐ Foreclosure (FOR 2)*
- ☐ Land Use Petition (LUP 2)*
- ☐ Property Fairness (PFA 2)*
- ☐ Quiet Title (QTI 2)*
- ☐ Unlawful Detainer (UND 2)

JUDGMENT

- ☐ Confession of Judgment (MSC 2)*
- ☐ Judgment, Another County, Abstract (ABJ 2)
- ☐ Judgment, Another State or Country (FJU 2)
- ☐ Tax Warrant (TAX 2)
- ☐ Transcript of Judgment (TRJ 2)

OTHER COMPLAINT/PETITION

- ☐ Action to Compel/Confirm Private Binding Arbitration (MSC 2)
- ☐ Certificate of Rehabilitation (MSC 2)
- ☐ Change of Name (CHN 2)
- ☐ Deposit of Surplus Funds (MSC 2)
- ☐ Emancipation of Minor (EOM 2)
- ☐ Frivolous Claim of Lien (MSC 2)
- ☐ Injunction (INJ 2)*
- ☐ Interpleader (MSC 2)
- ☐ Malicious Harassment (MHA 2)*
- ☐ Non-Judicial Filing (MSC 2)
- ☐ Other Complaint/Petition (MSC 2)*
- ☐ Seizure of Property from the Commission of a Crime (SPC 2)*
- ☐ Seizure of Property Resulting from a Crime (SPR 2)*
- ☐ Structured Settlements (MSC 2)*
- ☐ Subpoena (MSC 2)

PROBATE/GUARDIANSHIP

- ☐ Absentee (ABS 4)
- ☐ Disclaimer (DSC4)
- ☐ Estate (EST 4)
- ☐ Foreign Will (FNW 4)
- ☐ Guardian (GDN4)
- ☐ Limited Guardianship (LGD 4)
- ☐ Minor Settlement (MST 4)
- ☐ Notice to Creditors – Only (NNC 4)
- ☐ Trust (TRS 4)
- ☐ Trust Estate Dispute Resolution Act/POA (TDR 4)
- ☐ Will Only—Deceased (WLL4)

TORT, MEDICAL MALPRACTICE

- ☐ Hospital (MED 2)*
- ☐ Medical Doctor (MED 2)*
- ☐ Other Health Care Professional (MED 2)*

TORT, MOTOR VEHICLE

- ☐ Death (TMV 2)*
- ☐ Non-Death Injuries (TMV 2)*
- ☐ Property Damage Only (TMV 2)*

TORT, NON-MOTOR VEHICLE

- ☐ Asbestos (PIN 2)**
- ☐ Implants (PIN 2)
- ☐ Other Malpractice (MAL 2)*
- ☒ Personal Injury (PIN 2)*
- ☐ Products Liability (TTO 2)*
- ☐ Property Damage (PRP 2)*
- ☐ Wrongful Death (WDE 2)*
- ☐ Tort, Other (TTO 2)*

WRIT

- ☐ Habeas Corpus (WHC 2)
- ☐ Mandamus (WRM 2)**
- ☐ Review (WRV 2)**

* The filing party will be given an appropriate case schedule. ** Case schedule will be issued after hearing and findings.

RECEIVED

08 JUN 27 AM 10:33

CITY OF SEATTLE
MAYOR'S OFFICE

DEAN S. LUM

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

CALEB CRAIG JACKSON,

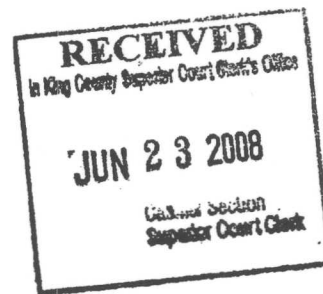
Plaintiff,

v.

CITY OF SEATTLE; SEATTLE POLICE
DEPARTMENT; OFC. S. MARTINELL; OFC.
HUGHEY; OFC. S. SMITH; OFC. S.
KAFFER; OFC. D. CONINE; OFC. M.
WOODRUFF, and JOHN DOES 1 -10,

Defendants.

No. **08-2-21142-8 SEA**
SUMMONS



TO: SEATTLE POLICE DEPARTMENT

A lawsuit has been started against you in the above-entitled court by plaintiff. Plaintiff's claim is stated in the written Complaint, a copy of which is served upon you with this Summons.

In order to defend against the lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the undersigned attorney for the plaintiff within 20 days after the service of this Summons, or within 60 days if this Summons was served outside the State of Washington, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where the plaintiff is entitled to what they ask for

SUMMONS - 1

Leemon
Royer
P.L.L.C.

2505 Second Avenue, Suite 610, Seattle, WA 98121
Phone 206 269-1100 Fax 206 269-7424

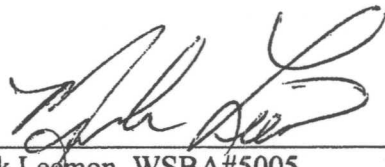
1 because you have not responded. If you serve a notice of appearance on the undersigned attorney,
2 you are entitled to notice before a default judgment may be entered.

3 You may demand that the plaintiff file the lawsuit with the court. If you do so, the demand
4 must be in writing and must be served upon the plaintiff. Within 14 days after the service of the
5 demand, the plaintiff must file this lawsuit with the court, or the service on you of this Summons
6 and Complaint will be void.

7
8 If you wish to seek the advice of an attorney in this matter, you should do so promptly so
9 that your written response, if any, may be served on time.

10 This Summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State of
11 Washington.

12 DATED this 20th day of June, 2008.

13
14 
15 _____
16 Mark Leemon, WSBA#5005
17 Counsel for Plaintiff
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CITY OF SEATTLE
MAYOR'S OFFICE

DEAN S. LUM

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

CALEB CRAIG JACKSON,

Plaintiff,

v.

CITY OF SEATTLE; SEATTLE POLICE
DEPARTMENT; OFC. S. MARTINELL;
OFC. HUGHEY; OFC. S. SMITH; OFC. S.
KAFFER; OFC. D. CONINE; OFC. M.
WOODRUFF, and JOHN DOES 1 -10,

Defendants.

No. **08-2-21142-8 SEA**

COMPLAINT FOR DAMAGES



I. JURISDICTION

1.1 At all time material hereto, plaintiff resided in King County, Washington.

1.2 Defendant City of Seattle is a municipal corporation which has consented to be sued pursuant to RCW 4.96. Plaintiff filed a valid tort claim with the City of Seattle, and sixty days have elapsed since the filing of the claim.

1.3 At all times referred to herein, the individually named defendants and the John Doe defendants whose present names are unknown, were police officers employed by the defendant City of Seattle, Washington.

1 2.4 Notwithstanding the fact that plaintiff, the driver of the car had done nothing
2 wrong, he was arrested without probable cause to believe he had committed a crime, and was
3 booked into jail on charges of "weapons in public places and failure to stop".

4 2.5 Defendants Martinell and Hughey arrived as "back-up" and assisted in the
5 arrest. During the arrest, plaintiff was subjected to unlawful and unnecessary force. He was
6 made to take his shirt off and one of the arresting officers threw plaintiff face down on the
7 cement and lodged his knee in the back of plaintiff's neck forcing his face into the cement,
8 causing injury to his face.

9 2.6 As a result of the abusive behavior, plaintiff suffered facial wounds which
10 required immediate treatment at Harborview Medical Center emergency room.

11 2.7 All potential charges against plaintiff were dismissed, and he was not
12 convicted of any crime as a result of this incident.
13
14

15
16 **III. FIRST CAUSE OF ACTION – VIOLATION OF CIVIL RIGHTS**

17 3.1 The facts reflected in 2.1-2.6, *supra*, are herein incorporated by reference.

18 3.2 Agents and employees of City of Seattle arrested plaintiff without probable
19 cause and subjected him to unlawful and unnecessary force all in violation of the
20 Constitution and laws of the State of Washington and of the Constitution of the United
21 States, all in violation as well of 42 U.S.C. § 1983. He was also jailed and charged with
22 crimes he had not committed, again without probable cause constituting the tort of malicious
23 prosecution as well as further violating plaintiff's constitutional rights
24
25
26

1 3.3 At all times relevant hereto, the individual defendants and John Doe
2 defendants herein, acting as members of the Seattle Police Department, were acting under
3 color of state law.

4 3.4 The foregoing actions of the defendants are in violation of plaintiff's civil
5 rights as guaranteed by the United States Constitution, in violation of 42 U.S.C. §1983.

6 3.5 The actions of the defendants were conducted with malice, and without any
7 regard for the rights of plaintiff, Caleb Jackson.
8

9 **IV. SECOND CAUSE OF ACTION – NEGLIGENCE/INTENTIONAL**
10 **INFLICTION OF SEVERE EMOTIONAL DISTRESS; OUTRAGE**

11 4.1 By this reference, plaintiff incorporates each and every factual allegation set
12 forth above.

13 4.2 Defendants, by their above-described actions, negligently, intentionally, or
14 with reckless indifference to the well being of plaintiff Caleb Jackson, inflicted severe
15 emotional distress on plaintiff.

16 4.3 The actions of the defendants as alleged above are so outrageous in character,
17 and so extreme in degree, as to go beyond all possible bounds of decency, and be regarded as
18 atrocious and utterly intolerable in a civilized community.
19

20 **V. THIRD CAUSE OF ACTION – FALSE ARREST AND FALSE**
21 **IMPRISONMENT**

22 5.1 By this reference, plaintiff incorporates each and every factual allegation set
23 forth above.

24 5.2 The actions of the defendants alleged above constitute false arrest and false
25 imprisonment for which the defendants are liable to plaintiff.
26

VI. FOURTH CAUSE OF ACTION – MALICIOUS PROSECUTION

6.1 By this reference, plaintiff incorporates each and every factual allegation set forth above.

6.2 Defendants knowingly, and without just cause instituted charges against plaintiff for which there was no probable cause.

6.3 The charges against plaintiff were brought with malice.

6.4 The charges against plaintiff were abandoned.

V. DAMAGES

5.1 As a direct and proximate result of the negligence of the defendants, and each of them, Plaintiff, Caleb Jackson, has suffered and will suffer the following damages:

- A. Violation of Civil Rights
- B. Pain and suffering, past, present and future, physical and psychological.
- C. Past and future medical expenses.
- D. Past and future loss of ability to enjoy life.

VII. PRAYER FOR RELIEF

5.1 WHEREFORE, plaintiff prays for judgment against defendants and each of them for the items of damages set forth in paragraph 5.1 above, and for costs, disbursements, attorney's fees, and any other items of damage appropriate in the premises.

5.2 Plaintiff further seeks reasonable attorney fees and costs pursuant to 42U.S.C. §1983, 1988.

DATED this 20th day of June, 2008.

Mark Leemon, WSBA #5005
Counsel for Plaintiff

Exhibit 2

Verification of State Court Records
Caleb Craig Jackson v. City of Seattle, et al.

RECEIVED
08 JUN 27 AM 10:33
CITY OF SEATTLE
MAYOR'S OFFICE

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

Caleb Craig Jackson

vs

City of Seattle, attys

Plaintiff(s)

Defendant(s)

NO. 08-2-21142-8 SEA

Order Setting Civil Case Schedule (*ORSCS)

ASSIGNED JUDGE Lum 12

FILE DATE: 06/23/2008

TRIAL DATE: 12/07/2009

A civil case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

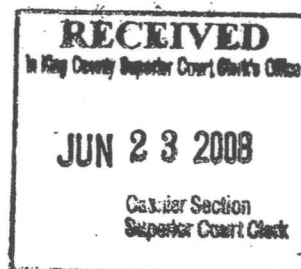
NOTICE TO PLAINTIFF: The Plaintiff may serve a copy of this **Order Setting Case Schedule (Schedule)** on the Defendant(s) along with the **Summons and Complaint/Petition**. Otherwise, the Plaintiff shall serve the **Schedule** on the Defendant(s) within 10 days after the later of: (1) the filing of the **Summons and Complaint/Petition** or (2) service of the Defendant's first response to the **Complaint/Petition**, whether that response is a **Notice of Appearance**, a response, or a Civil Rule 12 (CR 12) motion. The **Schedule** may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

"I understand that I am required to give a copy of these documents to all parties in this case."

Print Name

Sign Name

Order Setting Civil Case Schedule (*ORSCS)



REV. 8/07 1

I. NOTICES (continued)

NOTICE TO ALL PARTIES:

All attorneys and parties should make themselves familiar with the King County Local Rules [KCLR] -- especially those referred to in this *Schedule*. In order to comply with the *Schedule*, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, discovery must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLR 26], and for meeting the discovery cutoff date [See KCLR 37(g)].

CROSSCLAIMS, COUNTERCLAIMS AND THIRD PARTY COMPLAINTS:

A filing fee of \$200 must be paid when any answer that includes additional claims is filed in an existing case.

SHOW CAUSE HEARINGS FOR CIVIL CASES [King County Local Rule 4(g)]

A Confirmation of Joinder, Claims and Defenses or a Statement of Arbitrability must be filed by the deadline in the schedule. A review of the case will be undertaken to confirm service of the original complaint. A *Show Cause Hearing* will be set before the Chief Civil or RJC judge if needed. The Order to Show Cause will be mailed to the plaintiff(s) or counsel to attend.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE:

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this *Schedule* are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

If you miss your scheduled Trial Date, the Superior Court Clerk is authorized by KCLR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

All parties to this action must keep the court informed of their addresses. When a Notice of Appearance/Withdrawal or Notice of Change of Address is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

ARBITRATION FILING AND TRIAL DE NOVO POST ARBITRATION FEE:

A Statement of Arbitrability must be filed by the deadline on the schedule if the case is subject to mandatory arbitration and service of the original complaint and all answers to claims, counterclaims and cross-claims have been filed. If mandatory arbitration is required after the deadline, parties must obtain an order from the assigned judge transferring the case to arbitration. Any party filing a Statement must pay a \$220 arbitration fee. If a party seeks a trial de novo when an arbitration award is appealed, a fee of \$250 and the request for trial de novo must be filed with the Clerk's Office Cashiers.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4.71.050 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Rule 41.

King County Local Rules are available for viewing at www.metrokc.gov/kcsc.

II. CASE SCHEDULE

CASE EVENT	DEADLINE or EVENT DATE	Filing Needed
Case Filed and Schedule Issued.	Mon 06/23/2008	*
Confirmation of Service [See KCLR 4.1].	Mon 07/21/2008	*
Last Day for Filing Statement of Arbitrability without a Showing of Good Cause for Late Filing [See KCLMAR 2.1(a) and Notices on Page 2]. \$220 arbitration fee must be paid	Mon 12/01/2008	*
DEADLINE to file Confirmation of Joinder if not subject to Arbitration. [See KCLR 4.2(a) and Notices on Page 2]. Show Cause hearing will be set if Confirmation is not filed or Box 2 is checked.	Mon 12/01/2008	*
DEADLINE for Hearing Motions to Change Case Assignment Area. [See KCLR 82(e)]	Mon 12/15/2008	
DEADLINE for Disclosure of Possible Primary Witnesses [See KCLR 26(b)].	Tue 07/07/2009	
DEADLINE for Disclosure of Possible Additional Witnesses [See KCLR 26(b)].	Mon 08/17/2009	
DEADLINE for Jury Demand [See KCLR 38(b)(2)].	Mon 08/31/2009	*
DEADLINE for Setting Motion for a Change in Trial Date [See KCLR 40(e)(2)].	Mon 08/31/2009	*
DEADLINE for Discovery Cutoff [See KCLR 37(g)].	Mon 10/19/2009	
DEADLINE for Engaging in Alternative Dispute Resolution [See KCLR 16(c)].	Mon 11/09/2009	
DEADLINE for Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLR 16(a)(4)].	Mon 11/16/2009	
DEADLINE to file Joint Confirmation of Trial Readiness [See KCLR 16(a)(2)].	Mon 11/16/2009	*
DEADLINE for Hearing Dispositive Pretrial Motions [See KCLR 56; CR 56].	Mon 11/23/2009	
Joint Statement of Evidence [See KCLR 16(a)(5)].	Mon 11/30/2009	*
Trial Date [See KCLR 40].	Mon 12/07/2009	

III. ORDER

Pursuant to King County Local Rule 4 [KCLR 4], IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action must serve this *Order Setting Civil Case Schedule* and attachment on all other parties.

DATED: 06/23/2008



PRESIDING JUDGE

IV. ORDER ON CIVIL PROCEEDINGS FOR ASSIGNMENT TO JUDGE

READ THIS ORDER PRIOR TO CONTACTING YOUR ASSIGNED JUDGE

This case is assigned to the Superior Court Judge whose name appears in the caption of this Schedule. The assigned Superior Court Judge will preside over and manage this case for all pre-trial matters.

COMPLEX LITIGATION: If you anticipate an unusually complex or lengthy trial, please notify the assigned court as soon as possible.

The following procedures hereafter apply to the processing of this case:

APPLICABLE RULES:

a. Except as specifically modified below, all the provisions of King County Local Rules 4 through-26 shall apply to the processing of civil cases before Superior Court Judges.

CASE SCHEDULE AND REQUIREMENTS:

A. Show Cause Hearing: A Show Cause Hearing will be held before the Chief Civil/Chief RJC judge if the case does not have confirmation of service on all parties, answers to all claims, crossclaims, or counterclaims as well as the confirmation of joinder or statement of arbitrability filed before the deadline in the attached case schedule. All parties will receive an *Order to Show Cause* that will set a specific date and time for the hearing. Parties and/or counsel who are required to attend will be named in the order.

B. Pretrial Order: An order directing completion of a Joint Confirmation of Trial Readiness Report will be mailed to all parties approximately six (6) weeks before trial. **This order will contain deadline dates for the pretrial events listed in King County Local Rule 16:**

- 1) Settlement/Mediation/ADR Requirement;
- 2) Exchange of Exhibit Lists;
- 3) Date for Exhibits to be available for review;
- 4) Deadline for disclosure of witnesses;
- 5) Deadline for filing Joint Statement of Evidence;
- 6) Trial submissions, such as briefs, Joint Statement of Evidence, jury instructions;
- 7) voir dire questions, etc;
- 8) Use of depositions at trial;
- 9) Deadlines for nondispositive motions;
- 10) Deadline to submit exhibits and procedures to be followed with respect to exhibits;
- 11) Witnesses -- identity, number, testimony;

C. Joint Confirmation regarding Trial Readiness Report: No later than twenty one (21) days before the trial date, parties shall complete and file (with a copy to the assigned judge) a joint confirmation report setting forth whether a jury demand has been filed, the expected duration of the trial, whether a settlement conference has been held, and special problems and needs (e.g. interpreters, equipment), etc. If parties wish to request a CR 16 conference, they must contact the assigned court.

Plaintiff/petitioner's counsel is responsible for contacting the other parties regarding said report.

D. Settlement/Mediation/ADR:

1) Forty five (45) days before the Trial Date, counsel for plaintiff shall submit a written settlement demand. Ten (10) days after receiving plaintiff's written demand, counsel for defendant shall respond (with a counteroffer, if appropriate).

2) Twenty eight (28) days before the Trial Date, a settlement/mediation/ADR conference shall have been held. **FAILURE TO COMPLY WITH THIS SETTLEMENT CONFERENCE REQUIREMENT MAY RESULT IN SANCTIONS.**

E. Trial: Trial is scheduled for 9:00 a.m. on the date on the *Schedule* or as soon thereafter as convened by the court. The Friday before trial, the parties should access the King County Superior Court website at www.metrokc.gov/kcsc to confirm trial judge assignment. Information can also be obtained by calling (206) 205-5984.

MOTIONS PROCEDURES:

A. Noting of Motions

Dispositive Motions: All Summary Judgment or other motions that dispose of the case in whole or in part will be heard with oral argument before the assigned judge. The moving party must arrange with the courts a date and time for the hearing, consistent with the court rules.

King County Local Rule 7 and King County Local Rule 56 govern procedures for all summary judgment or other motions that dispose of the case in whole or in part. The local rules can be found at www.metrokc.gov/kcsccl.

Nondispositive Motions: These motions, which include discovery motions, will be ruled on by the assigned judge without oral argument, unless otherwise ordered. All such motions must be noted for a date by which the ruling is requested; this date must likewise conform to the applicable notice requirements. Rather than noting a time of day, the *Note for Motion* should state "Without Oral Argument." King County Local Rule 7 governs these motions, which include discovery motions. The local rules can be found at www.metrokc.gov/kcsccl.

Motions in Family Law Cases not involving children: Discovery motions to compel, motions in limine, motions relating to trial dates and motions to vacate judgments/dismissals shall be brought before the assigned judge. All other motions should be noted and heard on the Family Law Motions Calendar. King County Local Rule 7 and King County Family Law Local Rules govern these procedures. The local rules can be found at www.metrokc.gov/kcsccl.

Emergency Motions: Emergency motions will be allowed only upon entry of an *Order Shortening Time*. However, emergency discovery disputes may be addressed by telephone call, and without written motion, if the judge approves.

Filing of Documents All original documents must be filed with the Clerk's Office. *The working copies of all documents in support or opposition must be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the assigned judge.* The assigned judge's working copy must be delivered to his/her courtroom or to the judges' mailroom. Do not file working copies with the Motions Coordinator, except those motions to be heard on the Family Law Motions Calendar, in which case the working copies should be filed with the Family Law Motions Coordinator.

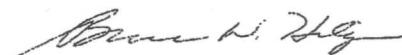
Original Proposed Order: Each of the parties must include in the working copy materials submitted on any motion an original proposed order sustaining his/her side of the argument. Should any party desire a copy of the order as signed and filed by the judge, a preaddressed, stamped envelope shall accompany the proposed order.

Presentation of Orders: All orders, agreed or otherwise, must be presented to the assigned judge. If that judge is absent, contact the assigned court for further instructions. If another judge enters an order on the case, counsel is responsible for providing the assigned judge with a copy.

Proposed orders finalizing settlement and/or dismissal by agreement of all parties shall be presented to the assigned judge or in the Ex Parte Department. Formal proof in Family Law cases must be scheduled before the assigned judge by contacting the bailiff, or formal proof may be entered in the Ex Parte Department. If final orders and/or formal proof are entered in the Ex Parte Department, counsel is responsible for providing the assigned judge with a copy.

C. Form: Memoranda/briefs for matters heard by the assigned judge may not exceed twenty four (24) pages for dispositive motions and twelve (12) pages for nondispositive motions, unless the assigned judge permits over-length memoranda/briefs in advance of filing. Over-length memoranda/briefs and motions supported by such memoranda/briefs may be stricken.

IT IS SO ORDERED. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER MAY RESULT IN DISMISSAL OR OTHER SANCTIONS. PLAINTIFF/PETITIONER SHALL FORWARD A COPY OF THIS ORDER AS SOON AS PRACTICABLE TO ANY PARTY WHO HAS NOT RECEIVED THIS ORDER.



PRESIDING JUDGE

Exhibit 3

Verification of State Court Records
Caleb Craig Jackson v. City of Seattle, et al.

FILED

2008 JUL -2 PM 2:46

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON

CALEB CRAIG JACKSON

Plaintiff/Petitioner

Cause #: 08 2 21142 8 SEA

vs.

CITY OF SEATTLE; ET AL.,

Defendant/Respondent

Declaration of Service of:

SUMMONS AND COMPLAINT FOR DAMAGES; ORDER
SETTING ORIGINAL CIVIL CASE SCHEDULE

Hearing Date:

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

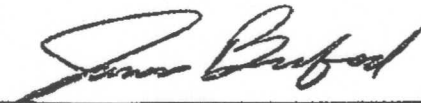
On the date and time of Jun 27 2008 10:33AM at the address of 600 4TH AVE 7TH FLOOR SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon CITY OF SEATTLE by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with CECILIA SORCI, SECRETARY IN THE OFFICE OF THE MAYOR.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: June 30, 2008 at Seattle, WA

by



J. Bradford

Service Fee Total: \$ 53.79



DEAN S. LUM

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

CALEB CRAIG JACKSON,

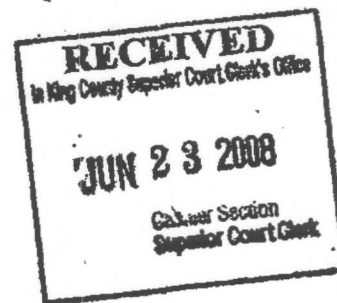
Plaintiff,

v.

CITY OF SEATTLE; SEATTLE POLICE
DEPARTMENT; OFC. S. MARTINELL; OFC.
HUGHEY; OFC. S. SMITH; OFC. S.
KAFFER; OFC. D. CONINE; OFC. M.
WOODRUFF, and JOHN DOES 1 -10,

Defendants.

No. **08-2-21142-8 SEA**
SUMMONS



TO: CITY OF SEATTLE

A lawsuit has been started against you in the above-entitled court by plaintiff. Plaintiff's claim is stated in the written Complaint, a copy of which is served upon you with this Summons.

In order to defend against the lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the undersigned attorney for the plaintiff within 20 days after the service of this Summons, or within 60 days if this Summons was served outside the State of Washington, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where the plaintiff is entitled to what they ask for

Exhibit 4

Verification of State Court Records
Caleb Craig Jackson v. City of Seattle, et al.

FILED

2008 JUL -2 PM 2:46

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

CALEB CRAIG JACKSON

Plaintiff/Petitioner

Cause #: 08 2 21142 8 SEA

vs.

CITY OF SEATTLE, ET AL,

Defendant/Respondent

Declaration of Service of:

SUMMONS AND COMPLAINT FOR DAMAGES; ORDER
SETTING ORIGINAL CIVIL CASE SCHEDULE

Hearing Date:

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

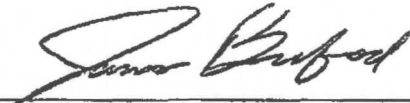
On the date and time of Jun 27 2008 10:33AM at the address of 600 4TH AVE 7TH FLOOR SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon SEATTLE POLICE DEPARTMENT by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with CECILIA SORCI, SECRETARY IN THE OFFICE OF THE MAYOR.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: June 30, 2008 at Seattle, WA

by



J. Bradford

Service Fee Total: \$ 32.50



RECEIVED

08 JUN 27 AM 10:33

CITY OF SEATTLE
MAYOR'S OFFICE

DEAN S. LUM

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

CALEB CRAIG JACKSON,

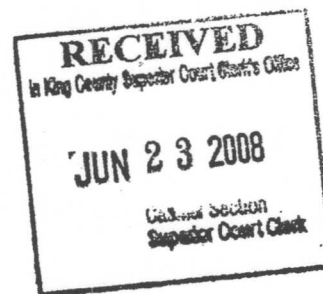
Plaintiff,

v.

CITY OF SEATTLE; SEATTLE POLICE
DEPARTMENT; OFC. S. MARTINELL; OFC.
HUGHEY; OFC. S. SMITH; OFC. S.
KAFFER; OFC. D. CONINE; OFC. M.
WOODRUFF, and JOHN DOES 1 -10,

Defendants.

No. **08-2-21142-8 SEA**
SUMMONS



TO: SEATTLE POLICE DEPARTMENT

A lawsuit has been started against you in the above-entitled court by plaintiff. Plaintiff's claim is stated in the written Complaint, a copy of which is served upon you with this Summons.

In order to defend against the lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the undersigned attorney for the plaintiff within 20 days after the service of this Summons, or within 60 days if this Summons was served outside the State of Washington, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where the plaintiff is entitled to what they ask for

SUMMONS - 1

Leemon
Royer
P.L.L.C.

2505 Second Avenue, Suite 610, Seattle, WA 98121
Phone 206 269-1100 Fax 206 269-7424

Exhibit 5

Verification of State Court Records
Caleb Craig Jackson v. City of Seattle, et al.

The Honorable Dean S. Lum

SUPERIOR COURT OF WASHINGTON
IN AND FOR KING COUNTY

CALEB CRAIG JACKSON,

Plaintiff,

v.

CITY OF SEATTLE, SEATTLE POLICE
DEPARTMENT; OFC. S. MARTINELL; OFC.
HUGHEY; OFC. S. SMITH; OFC. S.
KAFFER; OFC. D. CONINE; OFC. M.
WOODRUFF and JANE DOES 1-10,

Defendants.

NO. 08-2-21142-8 SEA

NOTICE OF APPEARANCE ON
BEHALF OF DEFENDANTS

TO: The Clerk of the Above-Entitled Court

AND TO: Plaintiff and his counsel of record

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that Defendants CITY
OF SEATTLE, SEATTLE POLICE DEPARTMENT and OFFICERS MARTINELL,
HUGHEY, SMITH, KAFFER, CONINE and WOODRUFF hereby appear in the above-
entitled action without waiving the questions of:

1. Lack of jurisdiction over the subject matter;
2. Lack of jurisdiction over the person;

NOTICE OF APPEARANCE - 1
3019-New 258553

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6885

3. Improper venue;
4. Insufficiency of process;
5. Insufficiency of service of process;
6. Failure to state a claim upon which relief may be granted; and
7. Failure to join a party under Rule 19.

YOU ARE FURTHER NOTIFIED that all further papers and pleadings herein, excepting original process, shall be served upon the undersigned attorneys at the address stated below.

DATED this 2nd day of July, 2008.

STAFFORD FREY COOPER

By: 

Ted Buck, WSBA #22029

Karen L. Cobb, WSBA #34958

Attorneys for Defendants

Certificate of Service

The undersigned certifies under the penalty of perjury according to the laws of the United States and the State of Washington that on this date I caused to be served in the manner noted below a copy of this document entitled NOTICE OF APPEARANCE on the following individual:

Mark Leemon
Leemon Royer PLLC
2505 Second Avenue, Suite 610
Seattle, WA 98121

☐ Via Facsimile
☒ Via First Class Mail
☐ Via Messenger

DATED this 2nd day of July, 2008, at Seattle, Washington.


Sally Phillips

Exhibit 6

Verification of State Court Records
Caleb Craig Jackson v. City of Seattle, et al.


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Superior Court Case Summary

Court: King Co Superior Ct

Case Number: 08-2-21142-8

Sub	Docket Date	Docket Code	Docket Description	Misc Info
1	06-23-2008	SMCMP	Summons & Complaint	
2	06-23-2008	*ORSCS JDG0012	Set Case Schedule Judge Dean S Lum, Dept 12	12-07- 2009ST
3	06-23-2008	CICS LOCS	Case Information Cover Sheet Original Location - Seattle	
4	07-02-2008	NTAPR	Notice Of Appearance /defs	
5	07-02-2008	AFSR	Affidavit/dclr/cert Of Service	
6	07-02-2008	AFSR	Affidavit/dclr/cert Of Service	

About Dockets

You are viewing the case docket or summary. Each Court level uses different terminology for this information, but at court levels, it is a list of activities or documents related to the case. District municipal court dockets tend to include case details, while superior court dockets tend to be more official documents and related to the case.

If you are viewing a district municipal appellate court docket, you may be able to see future court appearances or calendar dates if there are any. Since superior court generally calendar their caseloads on their own systems, this search tool cannot display superior court calendaring information.

Contact Information

King Co Superior Ct
516 3rd Ave, Rm C-203
Seattle, WA 98104-2361

Map & Directions

206-296-9100[Phone]

206-296-0986[Fax]

Visit Website

206-205-5048[TDD]

Disclaimer

This information is provided for use as reference material and is not the official court record. The official court record is maintained by the **court of record**. Copies of court documents are not available at this site and will need to be ordered from the **court of record**.

The Administrative Office of the Courts, the Washington State Courts, and the Washington State County Clerks :

1) Do not warrant that the information is accurate or complete;